

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)	MB Docket No. 14-82
)	
PATRICK SULLIVAN)	FRN 0003749041, 0006119796,
(Assignor))	0006149843, 0017196064
)	
and)	Facility ID No. 146162
)	
LAKE BROADCASTING, INC.)	File No. BALFT-20120523ABY
(Assignee))	
)	
Application for Consent to Assignment of)	
License of FM Translator Station W238CE,)	
Montgomery, Alabama)	

To: Marlene H. Dortch, Secretary
Attn: Chief Administrative Law Judge Richard L. Sippel

**ENFORCEMENT BUREAU'S REQUEST FOR EXTENSION
TO PROVIDE EXPERT'S DOCUMENTATION**

1. Just prior to the November 17, 2016 Status Conference, counsel for Lake Broadcasting Inc. (Lake) informally requested that the Enforcement Bureau (Bureau) provide documentation that one of the Bureau's experts, Tammy Gremminger, had offered to provide to Lake during her deposition.¹ Ms. Gremminger is a parole and probation officer with the Missouri Department of Corrections in the State of Missouri, who is volunteering her testimony and evidence *gratis*, without fee or payment of any kind for her time, and must manage her work on behalf of the Bureau in conjunction with her regular busy workload schedule.

¹ Lake's counsel requested certifications Ms. Gremminger had received in the area of sex offender training and a list of Missouri state cases in which she been qualified to testify as an expert witness.

2. Counsel for the Bureau contacted Ms. Gremminger before the Status Conference to request these documents and were promised they would be forthcoming by November 30, 2016, due to the pendency of the Thanksgiving Day holiday and Ms. Gremminger's previous commitments.² Accordingly, the Bureau was able to represent to Lake's counsel and the Presiding Judge at the Status Conference that it expected to receive the documents by that date. Immediately after the Conference, Bureau Counsel contacted Ms. Gremminger by email to confirm the November 30 deadline as well as to confirm that she would be available to offer testimony on the hearing dates established by the Presiding Judge in *Order*, FCC 16M-32.³ The Bureau also attempted to reach Ms. Gremminger after the Thanksgiving holiday.⁴ Unfortunately, the Bureau has not yet heard back from Ms. Gremminger.

3. Because Ms. Gremminger did appear for her deposition date in the case on September 14, 2016 in Missouri as scheduled, the Bureau believes that the delay in her submission must be due to an unexpected event in her work schedule. While the Bureau recognizes the parties' and the Presiding Judge's interest in assembling the case evidence prior to the March 6, 2017 hearing date, the Bureau respectfully requests until December 15, 2016, to respond to Lake's request. This will allow the Bureau sufficient time to coordinate with its witness while not resulting in any delay in the already-scheduled hearing dates.

4. For the reasons articulated above, the Bureau respectfully requests that the Presiding Judge grant the Bureau's motion for an extension.

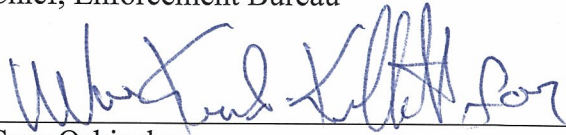
² William Knowles-Kellett contacted Ms. Gremminger by phone on November 16, 2016. (See Email from William Knowles-Kellett to Gary Oshinsky, dated November 16, 2016, filed herewith as Exhibit A).

³ See *Order*, FCC 16M-32 (ALJ, rel. Nov. 21, 2016).

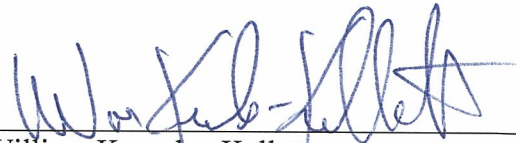
⁴ Bureau counsel William Knowles-Kellett and Gary Oshinsky have repeatedly attempted to reach Ms. Gremminger by phone, including on the following dates : November 17, 2016, November 22, 2016, November 29, and November 30, 2016. See also Emails from William Knowles-Kellett and Gary Oshinsky to Tammy Gremminger, beginning November 15, 2016 and continuing through November 30, 2016, filed herewith as Exhibit A.

Respectfully submitted,

Travis LeBlanc
Chief, Enforcement Bureau



Gary Oshinsky
Attorney
Investigations and Hearings Division
Enforcement Bureau
Federal Communications Commission
445 12th Street SW, Room 4-C330
Washington, D.C. 20554
(202) 418-1420



William Knowles-Kellett
Attorney
Investigations and Hearings Division
Enforcement Bureau
Federal Communications Commission
445 12th Street SW, Room 4-C330
Washington, D.C. 20554
(202) 418-1420

November 30, 2016

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FEDERAL COMMUNICATIONS COMMISSION
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To: Marlene H. Dortch, Secretary
Attn: Chief Administrative Law Judge Richard L. Sippel

EXHIBIT A

William Knowles-Kellett

From: William Knowles-Kellett
Sent: Tuesday, November 15, 2016 9:57 AM
To: 'Tammy.Gremminger@doc.mo.gov' (Tammy.Gremminger@doc.mo.gov)
Cc: Gary Oshinsky
Subject: Documents requested by Mr. Jacobs at your deposition

Tammy-

At your deposition we told Jacobs you would provide to a list of cases where you had testified as an expert and copies of certificates of completion (or a list thereof) you received for expert training in risk assessment. He just sent us an email saying he is going to raise it with the Judge on Thursday. If you can get them to us ahead of then, it would be great to avoid the Judge getting involved.

Thanks,
Bill and Gary

William Knowles-Kellett

From: William Knowles-Kellett
Sent: Wednesday, November 16, 2016 10:29 AM
To: Gary Oshinsky
Cc: 'Tammy.Gremminger@doc.mo.gov' (Tammy.Gremminger@doc.mo.gov)
Subject: FW: Documents requested by Mr. Jacobs at your deposition

Gary—

I just spoke with Tammy—she says she has been out of town, but says will have the docs requested by Mr. Jacobs by 11/30.

From: William Knowles-Kellett
Sent: Tuesday, November 15, 2016 9:57 AM
To: 'Tammy.Gremminger@doc.mo.gov' (Tammy.Gremminger@doc.mo.gov) <Tammy.Gremminger@doc.mo.gov>
Cc: Gary Oshinsky <Gary.Oshinsky@fcc.gov>
Subject: Documents requested by Mr. Jacobs at your deposition

Tammy-

At your deposition we told Jacobs you would provide to a list of cases where you had testified as an expert and copies of certificates of completion (or a list thereof) you received for expert training in risk assessment. He just sent us an email saying he is going to raise it with the Judge on Thursday. If you can get them to us ahead of then, it would be great to avoid the Judge getting involved.

Thanks,
Bill and Gary

Gary Oshinsky

From: Gary Oshinsky
Sent: Thursday, November 17, 2016 1:29 PM
To: Tammy (Tammy.Gremminger@doc.mo.gov)
Cc: William Knowles-Kellett
Subject: Additional Documents Requested by Rice/Lake Broadcasting

Hi Tammy,

We had a hearing in front of our Judge today, and we were given a hard deadline for submitting your certificates and list of expert testimony cases of 11/30/16. I know this is the date you and Bill discussed so of course that works. If you encounter any problems obtaining these documents please let us know immediately and we will inform the Judge.

He also set March 6, 2017 to begin the hearing, so would you please hold March 6 (for travel), 7th and 8th, open on your calendar. In advance of that, our travel office will contact you to arrange for your flight and hotel, as well as a per diem to cover your meals.

Thanks very much again,
Gary and Bill

Gary A. Oshinsky
Investigations and Hearings Division
Enforcement Bureau
Federal Communications Commission
445 12th Street, S.W., Room 4-A335
Washington DC 20554
202-418-7167

*** Non-Public: For Internal Use Only ***

Gary Oshinsky

From: Gary Oshinsky
Sent: Tuesday, November 22, 2016 11:42 AM
To: Tammy (Tammy.Gremminger@doc.mo.gov)
Cc: William Knowles-Kellett
Subject: Expert certifications and court records

Hi Tammy,

I'm emailing to make sure we're still on track to produce the documents requested by Rice's counsel on time (11/30). If a problem arises, we'd like to be able to let the Judge know ahead of time, so that the other side has no basis to move to exclude you as an expert.

Also, when you get a chance, please confirm that the dates in March (7, 8, 9) work for you. Thanks again for everything. Have a great Thanksgiving.

Gary

Gary A. Oshinsky
Investigations and Hearings Division
Enforcement Bureau
Federal Communications Commission
445 12th Street, S.W., Room 4-A335
Washington DC 20554
202-418-7167

*** Non-Public: For Internal Use Only ***

Gary Oshinsky

From: Gary Oshinsky
Sent: Wednesday, November 30, 2016 9:08 AM
To: Tammy (Tammy.Gremminger@doc.mo.gov)
Cc: William Knowles-Kellett
Subject: 11/30/16 Deadline For Gremminger Documents

Importance: High

Hi Tammy,

Very sorry to keep bothering with you with this, but we are under a hard deadline to produce your documentation today. If you need more time to forward these, please let us know and if possible explain what has caused the delay, heavy workload, unexpected events, etc. We can file for an extension of time with the Judge, citing those reasons.

Please call us this morning, so we can get something on file if necessary as soon as possible. You can reach me at the number below. Thanks so much for your help.

Gary and Bill

Gary A. Oshinsky
Investigations and Hearings Division
Enforcement Bureau
Federal Communications Commission
445 12th Street, S.W., Room 4-A335
Washington DC 20554
202-418-7167

*** Non-Public: For Internal Use Only ***

William Knowles-Kellett

From: William Knowles-Kellett
Sent: Tuesday, November 29, 2016 1:46 PM
To: 'Tammy.Gremminger@doc.mo.gov' (Tammy.Gremminger@doc.mo.gov)
Cc: Gary Oshinsky
Subject: FW: Expert certifications and court records

Tammy—

We hope you had a Happy Thanksgiving.

Please let us know if everything is on track to meet to the deadline tomorrow.

Thanks,

Bill and Gary

From: Gary Oshinsky
Sent: Tuesday, November 22, 2016 11:42 AM
To: Tammy (Tammy.Gremminger@doc.mo.gov) <Tammy.Gremminger@doc.mo.gov>
Cc: William Knowles-Kellett <William.Knowles-Kellett@fcc.gov>
Subject: Expert certifications and court records

Hi Tammy,

I'm emailing to make sure we're still on track to produce the documents requested by Rice's counsel on time (11/30). If a problem arises, we'd like to be able to let the Judge know ahead of time, so that the other side has no basis to move to exclude you as an expert.

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Gary

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Washington DC 20554
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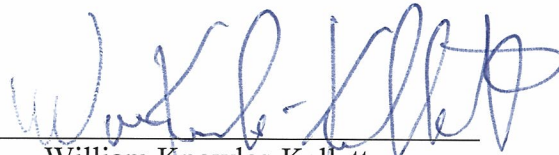
CERTIFICATE OF SERVICE

William Knowles-Kellett, an attorney in the Enforcement Bureau's Investigations & Hearings Division, certifies that he has on this 30th day of November, 2016, sent by first class United States mail and by email copies of the foregoing ENFORCEMENT BUREAU'S REQUEST FOR EXTENSION TO PROVIDE EXPERT'S DOCUMENTATION to:

Jerold L. Jacobs, Esq.
Law Offices of Jerold L. Jacobs
1629 K Street, N.W., Suite 300
Washington, DC 20006
jerold.jacobs.esq@verizon.net
Counsel for Patrick Sullivan and Lake Broadcasting, Inc.

And caused a copy of the foregoing to be served via hand-delivery to:

The Honorable Richard L. Sippel
Chief Administrative Law Judge
Federal Communications Commission
445 12th Street, S.W., Room 1-C861
Washington, DC 20554



William Knowles-Kellett